

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Caba x  
Plaintiff,  
- against -  
NYC x  
Defendant.

ORDER  
15 8353  
Civ. (RWS)

Sweet, D.J.,

The parties to this action, by their attorneys, having appeared before this Court at a pretrial conference on 2/10/16, pursuant to Rule 16 of the Federal Rules of Civil Procedure, pursuant to \_\_\_\_\_:

IT IS HEREBY ORDERED that:

1. All motions are to be made returnable at 12:00 noon on Wednesday and in compliance with the rules of this Court.
2. The parties shall complete all fact discovery by 4/5/16 and all expert discovery by \_\_\_\_\_. The expert report(s) of the party with the burden of proof shall be due before those of the opposing party's expert(s). The parties shall file all motions, other than motions in limine, by this date (or whichever is later), after which no discovery will be conducted and no motion will be entertained without a showing of special circumstances. Plaintiff(s) shall submit a draft of the pretrial order to the defendant(s) on or before the completion of discovery. The parties are advised that this Court is participating in a Pilot Program for initial discovery protocols for employment cases alleging adverse action. See [www.fjc.gov](http://www.fjc.gov).
3. The parties shall, in order to prevent delay or interruption of the trial, have sufficient witnesses at all times during the trial and shall perpetuate before trial the direct and cross-examination testimony of any essential witness.
4. The parties shall submit to the court trial briefs, a joint proposed pretrial order, and, if applicable, motions in limine and proposed jury charges, voir dire requests and special verdict form in accordance with the annexed form and instructions by 4/13/16. A final pretrial conference will be held at 4:00 pm on that date and the action shall be added to the trial calendar published in the New York Law Journal. Prior to submission of the final pretrial order, the parties are directed to exchange offers of settlement. The parties are directed to be ready for trial the day after the pretrial order is due and, upon receipt of twenty-four hour telephone notice, on any day thereafter.
5. Adjournments of the dates set forth above will not be granted except for good cause and upon written application made as soon as the grounds for such application are known.
6. Failure to comply with any of the provisions of this order will result in dismissal of the action, entry of a default judgment, or other appropriate sanction.

It is so ordered.

New York, NY

2/10

2016

USDC SDNY
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DATE FILED: <u>2/10/16</u>

Robert W. Sweet  
ROBERT W. SWEET  
U.S.D.J.